IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR
&
THE HONOURABLE MR. JUSTICE T.R.RAMACHANDRAN NAIR

MONDAY, THE 22ND OCTOBER 2007 / 30TH ASWINA 1929

WP(C).No. 21138 of 2007(N)

PETITIONER:

UDAYAKUMAR,S/O.CHANDRAN PILLAI,
MANAGING PARTNER, SURUJI INDUSTRIES,
PANACKODE, ARYANADU,

BY ADV. SRI.T.A.UNNIKRISHNAN
SRI.K.SATHEESH KUMAR
SRI.P.P.BIJU

RESPONDENTS:
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1. THE SUB INSPECTOR OF POLICE
ARYANAD,THIRUVANANTHAPURAM.

2. SATHYAM, CONVENOR,
AITUC, PANACKODE BRENCH,
ARYANADU, TIRUVANANTHAPURAM.

3. C.JOHN, CONVENOR,
CITU,PANACKADA, BRANCH,
ARYANADU, THIRUVANANTHAPURAM.

4. VALSALARAJ,CONVENOR,
INTUC,PANACKODE BRANCH,
ARYANADU, THIRUVANANTHAPURAM.

BY GOVERNMENT PLEADER SRI. SALIM P.A.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 22/10/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C) NO: 21138/2007 N

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1. COPY OF THE AGREEMENT DT. 14/11/2006.

EXT.P2. COPY OF THE REQUEST DT. 11/6/07 BY PETITIONER TO THE RESPONDENTS.

RESPONDENT'S EXHIBITS **NIL.**

True copy

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K.BALAKRISHNAN NAIR & T.R.RAMACHANDRAN NAIR, JJ.

Writ Petition (C) No.21138 of 2007-N

Judgment

Balakrishnan Nair, J.

The petitioner seeks protection to do the loading and unloading work in his unit and also against the alleged obstruction by respondents 2 to 4. The learned Government Pleader upon instruction submitted that there is no labour problem in the petitioner's unit and no one is coming there to obstruct the work. If the petitioner or his existing partners are doing the loading and unloading work and if anybody else is causing obstruction, the petitioner can move the Police. In that event, the Police shall render necessary protection to him and his partners. If the workmen under the Headload Workers Act have got any claim over the work in the petitioner's unit, they will be free to move the authorities under the Act. In that event, the said authorities can take a decision on their claim and the same can be implemented also, untrammeled by the order of protection granted by this Court.

The Writ Petition is disposed of as above.

K.BALAKRISHNAN NAIR,JUDGE

22.10.2007 **T.R.RAMACHANDRAN NAIR, JUDGE**

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